

REMARKS

Rejection of Affidavit under CFR 1.131:

Applicants respectfully request that the Examiner reconsider his rejection of the Affidavit under CFR 1.131 as confirming prior invention relative to Fuji. It should be noted that the figure provided in the affidavit is substantially the same as Fig. 2 of the drawings with the exception of the connector and line shown for TCS video 29 and line 28 which indicates an output line from the A/B switch TCS or FTI/ATR to LCP 22, cockpit monitor 21, PTID display 24 and VDI display 26.

As stated in the application, page 6, lines 10-15, and as shown in both Fig. 2 and the figure submitted with the affidavit:

“...the system of the subject invention comprises a central processor unit 10, a recorder/playback unit 12, a base or interface unit 14 and a multifunction, single remote control unit 16....the central processing unit 10 is a PhotoTelesis A72-403WB and the remote control unit 16 is a PhotoTe4lesis RCU-403WB. The recorder/playback unit 12 is a TEAC HI 8 V80 VTR system.”

As further stated at page 7, lines 9-19 of the application:

“The video switching module 50 is housed in the interface unit 14. Switch A in the video switching module 50 permits selection between any of a plurality of video sensors such as video sensors A and B shown. These may be manually selected via the remote control unit 16, or programmed selection may be utilized as programmed at the central processing unit 10....A display monitor input select switch C is also provided for selecting either the recorder/player unit output on line 56 or the processing unit output on line 58.”

As stated in the affidavit, the purchase order attached to the affidavit illustrates the purchase of ten ME-971 stand alone scan converters for use with an early version of the invention. This occurred before February 21, 1996. The prototype was installed and tested under actual flight conditions.

The system later sold and installed performed in the same manner as the prototype and is the subject matter of the application. The invention was conceived and reduced to practice prior to the effective date of the Fujita reference.

The Invention

The system of the subject invention utilizes a digital image capture system capable of operating as a recorder and playback unit as well as a transmission system for transmitting full motion, selected still frames and combined full motion and still frame video images. It is an important feature of the invention to provide for the capture and transmission of a still image on the fly while the recorder is still functioning. Another important feature of the invention is the capability for "marking" the recorded medium for later selecting and capturing selected stills.

Claim Objections:

The Examiner objected to claims 1-7, 9-15 and 21-25 under 35 USC §103(a).

Claims 1, 11 and 21 are independent claims. Claims 1 and 11 have been rejected as obvious and unpatentable over Kozuki et al in view of Nagasaka et al.

Nagasaka teaches that a window 1108 at lower right corresponds to a collective display of each scene of object images appearing in the scene and a window 1112 to the intermediate right corresponds to the collective display of the objects appearing in the video. These collective displays will be generically referred to as the "index". The scene collective display of the window 1108 is generated by selecting typical frame images from each scene in the video, diminishing them, and aligning them sequentially time-wise in the form of a table as icons. These images can be regarded as "captions" of the scene, and a scene table obtained by aligning them in a time sequence corresponds to a "table of contents" of a "book". On the other hand, the subject is one of the important constituent elements of the scene and in this scene, corresponds to a "keyword" in the text. Accordingly, the collective display of the subjects in the window 1112 corresponds of an "index to a book". When a given icon 1110 is clicked by the mouse in the scene collective display, the video on the monitor screen is switched and the scene represented by the icon is played back. The collective display of the subjects comprises an icon 1114 representing the subject and a time axis display portion (line graph) 1116 on the right side of the icon 1114. The time axis display portion (line graph) has a time axis in which the left end represents the start of the video and the right end represents the end of the video. The portion represented by a line indicates the time period in which the subject appears.

When the line portion is clicked, the videos in this time period are displayed on the monitor screen. Incidentally, reference numeral 1104 denotes a cursor which moves in correspondence with the movement of the pointing device such as the mouse, and reference numeral 1106 denotes a general purpose input/output window for displaying variously associated data of the videos.

FIG. 13 shows an example of a scene structure 1000. Reference numeral 1002 denotes a representative frame number of the scenes, 1004 is the start frame number and 1006 is the end point frame number. A pointer to a corresponding physical video enters 1008. A data structure of all the matters appearing in this scene, that is, a pointer to the objects, enters 1010 in the form of the connection list. The scene can gather the connection of the video contents in a unit and can make hierarchical management in a pyramid form. A high order scene 1012 is a pointer to such a high order scene, and a low order scene 1014 is a pointer to a connection list formed by connecting all the scenes of the stage immediately therebelow. Reference numeral 1016 denotes an attribute information of the scene. The physical video call portion 302 decides the physical video to be called out from the library 308 of the physical videos and the frame position to be played back, by the information 312 formed by adding the scene information to the frame number at 300.

Specifically, Nagasaka selects a demonstrative scene for a video sequence to generate a table of contents. The table of contents is then used to provide access to the selected video. This is very different from the present invention wherein a still can be selected on the fly from a video as the video is captured, wherein the still can be transmitted to a remote receiver while the recorder continues to record or while video is being simultaneously transmitted to another remote receiver, as called for in claim 1 (element f) and claim 11 (element f). This is what sets the present invention apart from Kozuki and Nagasaka whether taken singly or in combination. It is not obvious from the indexing feature of Nagasaka to select and transmit selected stills independently of the video as claimed by applicant. There is nothing to suggest this.

It is respectfully requested that Nagasaka adds nothing to Kozuki to either teach or suggest applicant's invention. Wherefore, it is respectfully requested that the rejection of Claims 1 and 11 be withdrawn and said claims passed to allowance.

Claims 2-9 depend from claim 1 and claims 12-15 depend from claim 11. Since the base claims should be in condition for allowance it is also respectfully requested that the rejection of these claims be withdrawn.

With respect to Claim 21, Krause adds nothing to the disclosure of either Kozuki or Nagasaka to render this claim unpatentable. Krause discloses that during simultaneous recording and playback, access to a high-access storage device for reading or writing is prioritized such that there is always sufficient program data available for display and sufficient space in the buffer containing data from the televised signal to prevent overflow (and thus, the possibility that a portion of the televised program will not be stored). This permits a digital home video system to provide recording and playback of compressed video programs using an archival storage medium; simultaneous recording and playback using the same archival medium; storage of multiple programs on a single videotape; a full array of trick mode functions; efficient management of the contents of a video tape or other archival storage medium; and real-time random access to video program content, enabling truly interactive playback. These capabilities are provided by combining the best features of an archival storage medium such as digital video tape: namely, potentially large storage capacity, but low tolerance for variable data rate, and essentially linear program access; with the complementary features of a relatively high-access storage device such as a fixed disk drive: namely, tolerance for a highly variable data rate, and random access capability, but relatively lower storage capacity.

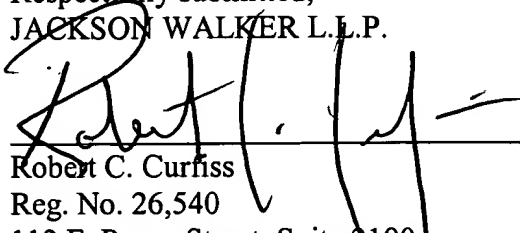
Krause does not teach and does not suggest the present invention of selecting a still on the fly from a video as the video is captured, wherein the still can be transmitted to a remote receiver while the recorder continues to record or while video is being simultaneously transmitted to another remote receiver, as called for in claim 1 (element f), claim 11 (element f) and claim 21 (element f).

It is respectfully requested that Krause adds nothing to Nagasaka and/or Kozuki to either teach or suggest applicant's invention. Wherefore, it is respectfully requested that the rejection of 21 be withdrawn and said claims passed to allowance.

Claims 22-25 depend from claim 21. Since the base claim should be in condition for allowance it is also respectfully requested that the rejection of these claims be withdrawn.

All of the objections of the Examiner having been addressed, it is respectfully requested that this application be passed to allowance.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service, with sufficient postage as Express Mail Label No. EV323256271US, in an envelope addressed to Mail Stop Response/FEE, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA, 22313-1450.

Date: November 7, 2003



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